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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 ELDORADO BROWN,

11 Plaintiff,

12 v.

13 WASHINGTON DEPARTMENT OF  
14 CORRECTIONS, et al.,

15 Defendants.

CASE NO. C13-5367 RBL-JRC

ORDER GRANTING PLAINTIFF'S  
MOTION TO COMPEL  
DISCOVERY

16 The District Court has referred this civil rights action to United States Magistrate Judge J.  
17 Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local  
18 Magistrate Judge Rules MJR3 and MJR4.

19 Plaintiff asks the Court to compel defendants to provide responses to outstanding requests  
20 for inspection and production of documents (Dkt. 45). Defendants have not responded to  
21 plaintiff's motion. In the absence of any response, the Court grants plaintiff's motion to the  
22 extent that defendants are ordered to provide the outstanding discovery within fourteen days of  
23 this order. Plaintiff's counsel outlines the steps that he has taken to try to obtain documents in  
24 this case (Dkt. 45 and 46). Counsel states that there have been two Fed. R. Civ. P. 26 discovery

1 conferences, one in September of 2013 with Assistant Attorney General Minjares, and one in  
2 January of 2014 with Assistant Attorney General Glen Anderson (Dkt. 45, p. 2). Plaintiff's  
3 counsel states that Mr. Anderson agreed that defendants would provide responses to the  
4 outstanding request for production of documents by February 20, 2014 (Dkt. 45, p. 2). Plaintiff's  
5 counsel states that on March 3, 2014, he e-mailed defendants' counsel in a last attempt to obtain  
6 the discovery. Plaintiff's counsel states that he told defense counsel that if he did not have the  
7 discovery by March 6, 2014, he would file a motion to compel (Dkt. 45). Defendants have not  
8 responded to the motion to compel or challenged plaintiff's assertions of fact.

9 The Court finds that plaintiff's counsel has substantially complied with this Court's rules  
10 regarding meeting and conferring prior to bringing a motion to compel.

11 Defendants' failure to comply with this order may result in sanctions. Pursuant to Fed. R.  
12 Civ. P. 37(a)(5)(A) the Court also orders defendants to show cause within fourteen days why  
13 expenses including attorney's fees for bringing this motion should not be granted.

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15 Dated this 16<sup>th</sup> day of April, 2014.

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18 J. Richard Creatura  
19 United States Magistrate Judge  
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